IMT Nuremberg Archives

H – 938

International Court of Justice

H0938 – 0001

H0938-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

10 June 1946.

COMMISSIONERS:

Captain Joseph Tubridy
Mr. Rasumov

THE GESTAPO

(THE COMMISSION CONVENED AT 1100 HOURS.)

LUDWIG OLDACH, a witness, took the stand and testified as follows:

CAPTAIN TUBRIDY:

Q Will you raise your right hand and repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

Q. What is your full name?

A Ludwig Oldach.

BY DR. [redacted] WEISGERBER:

Q Witness, give us a short life history.

A On the 1st of May 1905, I entered the Mecklenburg Justice Department as a potential civil service employee to act as courier or civil servant for that department. After training and examinations in 1908 I became Judicial Trainee with various local District Courts and the State Attorney until 1917. Then I was transferred to the Mecklenburg Finance Department and on the 1st of April 1920 I was transferred to the Reichs Finance Department, as Tax Inspector and from 1928 until 1933 I was Chief Tax Inspector. After half a year I was made City Councilman in Wissmar and in December 1933 I was made

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I was made Chief of the Political Police in Mecklenburg.

Q Were you also in charge of the Criminal Police in Mecklenburg?

A Yes.

Q It is interesting that you, as a person with no previous experience, would be made the Chief of the Gestapo and Criminal Police of Mecklenburg?

A That came for the following reason: In September 1933 an old acquaintance of mine, Dr. Schweder, came to me and he said that he came from Himmler and had made to Himmler the suggestion that I be put in charge of the Political Police that was supposed to be instigated in Mecklenburg. I thereupon asked him why he came to me for this. Schweder told me that Himmler had told him that for Mecklenburg he wanted a quiet, old, and experienced Civil Servant and not a young, excitable, inexperienced SS leader. He also stated that one person had already volunteered for the job and ~~that~~ who was from the SS of Mecklenburg who, according to him, was a young, excitable, wild fellow, without any practical experience, and that had to be prevented in any case.

Q Witness, make short pauses between your sentences so that the stenographer can follow. Was there any Political Police in Mecklenburg before 1933?

A No, there was none. All political cases, all political criminal activities were taken care of by the District Criminal Police.

Q When was the Gestapo Office activated in Schwerin?

A After Dr. Schweder came to me the first thing I did was to talk to the Staatsminister (State Minister), and he asked me to take this post. When I told him that I was no full judicial jurist he told me that in my activity with the local courts and the district courts I had received enough experience concerning political laws and criminal laws to do the job.

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Thereupon the State Minister appointed me Chief of the Criminal Police, in December 1933, with the orderto create a political police there.

Q In other words, was this organization the Secret State Police or Gestapo Headquarters in Mecklenburg?

A Yes.

Q Did this organization, that is the Gestapo, stay within the Criminal State Police Department of Mecklenburg and how long did that situation prevail?

A It remained like this until 31 March 1937 but in 1934 the Gestapo was given equal rights as far as their personnel requirements were concerned, that is was given the same basis as the Criminal Police, both of which were under the Police Department of the State of Mecklenburg.

Q How strong in numbers was the political department.

A 15 men.

Q Were those only civil service employees or does that include all personnel?

A Those were only civil service personnel.

Q In addition to that you had other employees, volunteers, and what else did you have?

A First we had some other employees, such as typists and others but as time went by, men of the regular police were ordered transferred to the Political Police and further helpers were employed, such as a driver, messengers, and so on.

Q Were those 15 men, those 15 employees with the Political Department, where they former members of the Criminal Detachment of the Police of the State of Mecklenburg, that is before 1933?

A Yes they were all former members of the State Police Department, that is the Regional Police Department, and were old former members of

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the Criminal Police while others came from the Regular Police and Gendarmerie.

Q Were there any administrative officials or civil service men within these 15 men?

A No.

Q Who was in charge of the administrative work of the Political Department?

A The economic and social administration was in the hands of the Mecklenburg Police.

Q How many of the employees or the civil service employees belonged to the NSDAP or one of its organizations before 1933?

A Four employees were members of the Party since 1932?

Q How many were members of the organization?

A One.

Q What was the development after that?

A After 1933 a number of employees joined the Party but not all of them. Among the other employees, those not civil service employees, only a very few were in the Party. For instance, my secretaries, who were in the waiting room, never belonged to the Party.

Q The transfer to the Political Police Department was, in other words, just a purely administrative matter; that is it was within the history of the civil service employee?

A Yes.

Q Were you especially interested, where employees joined the Political Police after 1933, in the fact that they were members of the Party?

A No, I was mainly interested in an active person and a good character.

Q What would you say was the percentage of the volunteers in your organization?

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A Volunteers were taken after 1937, that is young fellows, and they were about 10 per cent of the total.

Q What was the possibility of a civil service employee who was transferred to the Gestapo, to be discharged from the Civil Service or to be transferred to another Police Department?

A Discharge was possible according to the German Civil Service Employees' Law, but then he could not receive any pension or any other thing like that, and therefore that did not happen. Requests for transfer to other Police Groups were not heeded and after the beginning of the war it was forbidden to make any such requests for transfer to another police group.

Q Do you know of any case in your office, or in your department, where a man who attempted to be transferred to another police group was threatened with a fine or other sentence?

A There were two cases in my department where employees wanted to get out. One employee had differences with the Kreisleiter concerning his reports on church matters and wanted to leave but it was forbidden by the Ministry. Another employee wanted to leave during the war, to join the army, that was in 1940, and the request was turned down. Thereupon he wrote directly to the Air Ministry and a letter came back and I had to threaten him with heavy fines in case another request like that was made. Later on an order was issued in which it was specifically forbidden to make any such requests.

Q During the war what was the sentence if a person refused to do his job or continue his duty?

A Civil Service employees were put under Army Court Martial during the war and if an employee had refused to do his job he would have been tried

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before a SS Police Court.

Q Were there any Border Police under you?

A Yes.

Q Was there any change of personnel in the Border Police after 1933?

A In 1933 the members of the Border Police were transferred into the Political Police and in 1938 the Border Police Section was enlarged. Eight young men came from Vienna and they were transferred to Warnemuende, which was in my Area. These young men told me that they were asked in Vienna to do a few weeks of Border Police duty. Once they had said they would do a few weeks of Border Police work they were suddenly transferred to a Border Police School and after eight weeks of training, against their wishes, they were transferred to Warnemuende. Of those, several absolutely did not want to remain with the Police and finally it was possible for two of them to leave the Police after I, according to their own requests, had reported that they were not suitable for police work.

Q What were your duties as Chief of the Political Police?

A The finding out and fighting of all State enemy organizations or factions. Also the investigation of all criminal activities of [redacted] State and Party officials and the reporting to the State Government and the Party concerning all important political matters.

Q How was your office or your department organized? What offices were in it, what sub-departments?

A First of all there were Departments 1 and 2 - those were the Personnel and Economic Departments. There was no Department 3 - there was the SD. There was also Department 4 with several sub-departments: No. 1 was concerning Marxism and Socialism and Communism. No. 2 concerned any National Socialistic opposition and, after the beginning of the war, any anti-war

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actitivies or anything against the country. No. 3 concerned Party Members, that is their investigation in cases of criminal activity and so on, as well as church matters, matters concerning free Masons and Jews. No. 4 was the counter-espionage and foreign information .

Q Were there also not other departments, such as a department for Foreign Workers, for industrial information or industrial spying, a department for industrial security, a department for guard duty, and also within Department 4 a number of lists and files?

A The lists and files were in a department by themselves. The guard activities were very seldom used but belonged to the Party Referat. Industrial Security was part of the counter-espionage; Industrial Espionage also belonged to the same group.

Q Under the sub-referat for Nationalism and Socialism was there also the Stahlhelm included?

A Yes but that was itself in 1935.

Q From whom did you receive your orders?

A I received orders from the Reich Security Office, from the State Minister, from the Stadthalter and from the Gauleiter.

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BY DR. ~~MERGER~~: Weisgerber

Q How was the cooperation between the Gauleiter and other organizations?

A Of course, I had to report to the Gauleiter, who was also Reichstadthalter and the state minister, concerning all Gestapo matters and that happened from case to case. During the war, the Gauleiter, who was also Reichstadthalter, required that I report to him verbally every two weeks repeatedly and I also had to report, upon his request, through statements.

Q Did you also have to send any written reports to other departments of the party or other oregniaations?

A It happened very often that either the party or Kreisleiter or Kreisleitung brought charges before me and of course, I had to report to them what the results of their charges were.

Q To what extent did political groups or officers attempt to influence you and your office?

A They tried that continuously and I always was very angry concerning that. It went so far that all the Kreisleiters told me I was a bureaucrat and had bureaucratic thoughts and all my employees were actually party enemies.

Q Did you also work against lawless or any matters against the law within the party or the organization?

A Yes.

Q Could you prove or certify your answer by telling us some instances?

A Yes, I can do this. Right in the beginning, I had to arrest a

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high SA leader, a SA officer, for embezzlement. I also had to report various SA men for disturbing the peace and assault when they tried to distnrb members of the Bekenntnischurch. They continually attacked me and I had to defend myself continually. Then, I also had an investigation concerning an Ortsgruppenleiter, who reported that he was attacked. We found out that was not the truth and thus we had quite a bit of difference with the leaders of the party. I also had an investigation concerning this Ortsgruppenleiter concerning a suspected murder. After a very long investigation, it was possible to bring this man to justice as a murderer in 1942. I was also able to arrest a high Gau administrative officer. He was the Gauamts administrator and he was arrested on the charge of aiding a murderer. He smuggled into the prison to a prisoner a pistol, ammunition and packages and he also smuggled in and out letters and various objects like that. I was attacked, concerning this investigation, but I had the satisfaction later on of seeing the special court convict this man on all these charges.

FOLLOWING RECESS.

BY DR. ~~MEIXEL~~: Weisgerber

Q How was the training of your officers, what were the main points taught to them and what main points were considered to be important?

A Until the police was made a government organization, all the men were first trained either through the school in Schwevin or the regular police shhool at Sharlottenburg. Following April of 1937 when everything was taken over by the Government, the lower civil service trainees had

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to attend police school and the higher officers had to attend police leadership schools at Charlottenburg, then they had to go to the police school at Fuerstenberg.

Q In the training of your police officers which was considered more important, the actual occupational training or the training to be fanatics or fighters for the NSDAP?

A The police school considered both important.

Q How were these orders, which were marked "secret" treated in your department or your office?

A This was done after the so-called "Verschluss" decree. The receipt of all secret decrees or messages were recorded in a day book and the person who had used the book for his work had to sign a receipt for it. After its use, the book was locked up in a safe.

Q Is it true when I say that one certain officer in the Gestapo office took care of all highly secret and important matters without his room-mate or room coworker knowing about it?

A Yes.

Q Was it your duty to supervise the complete secretness of these matters?

A Yes.

Q How did you do your duty concerning this?

A My deputy was required to check upon this "Verschluss" decree or locked decree quarterly, that is every three months.

Q What were the imprisonment terms in case such a secret decree was broken or not carried out?

A It was considered treason if such a decree was broken.

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Q Where were the prisoners kept that were arrested concerning state police matters?

A These prisoners were brought to the prisons and they were sent to towns where there were police prisons.

Q Who was responsible for these police prisons?

A The Ortspolizei officers.

Q Did you, in your department, have prisons especially for the Gestapo.

A No. In Schwevin we did not have our own prisons.

Q Is it true that the guards of those prisoners, that were arrested by the Gestapo and were transferred to the police or general prisons, were not members of the Gestapo?

A No.

Q Where were the interrogations of persons arrested for political reasons held?

A The interrogations of those persons was in the places or areas where there was a state police department or a Gestapo department within the Gestapo building. In other towns, within the offices of the local police, the community representative or chairman.

Q It has been stated by the Prosecution, that during the interrogations by Gestapo officers large numbers of mistreatments and tortures occured. What do you say concerning this?

A With us, such mistreatments and tortures did not occur. I always told my officers that such things were not nice and were prohibited. I continually said that a forced statement was not valuable and that I did not want such a confession.

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Q As department head, what possibilities did you have to see and check that your orders were carried out?

A While I was on duty, they could not do otherwise, because quite often during the day I went through the rooms or the offices and I do not think this happened during the time I was not there.

Q Were these interrogation offices separated from the other offices in your building?

A No. We only had one building and in one room there were always two, three or four officers and the interrogations were also held in these rooms.

Q Were all persons in that room connected with the interrogation?

A They heard it - they were there, unless they were away on official travel. It was also possible that various officers were away on official duties elsewhere or on travel and that one officer might be alone in that rooms, however, there was usually a typist present.

Q What happened to the person arrested after his interrogation?

A The arrested person was brought back to the justice prison and all alibis of the arrested person were thereupon examined and if there was only one witness, as was the case quite often, a close investigation as to the truth and trust-worthiness of the witness was made. It happened often that I brought the witness and the accused together in order to get the truth. At the end of this investigation, the arrested person was either transferred to the court or he was set free.

Q Did the arrested person have the opportunity to get himself a lawyer?

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A Yes, he had the possibility, but within the police department investigation rules and regulations representation by a lawyer was not permissable. Of course, when a lawyer came to me I did listen to him and did use his information or whatever he told me.

Q The prosecution claims that there was no legal remedy against protective custody.

A Concerning protective custody, there was a protest allowed through official channels.

Q Who decided concerning these protests?

A The Reichs Main Security Office.

Q Did these protests, through official channels, have any results?

A Yes.

Q How was the cooperation between your office and the local state's attorney office?

Q As helpers of the state, of course, we were required to work together with the state attorney and during my time thecooperation between ourselves and the state attorney's office was always correct and good.

Q Did you hear through your official channels or through your department that any kind of torture instruments were used?

A No.

Q There was the so-called sharp or hard interrogations?

A Yes, but I never used that.

Q Who was responsible to carry out or order this kind of an interrogation?

A Until 1943 or 1944, the Reichs Main Security Office and the Regional

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State Police were allowed, according to a decree, to order such kind of interrogations. I said to my officers at the time that the decree arrived that I would never carry out such measures. I also asked my deputy not to give such an order in case I was away.

Q Was the decree that this sharp or hard interrogation was given marked in the files so that the Reichs Main Security Office or the court knew of that interrogation?

A Yes.

Q The prosecution claims that civil service employees were arrested by the Gestapo without previous knowledge of their section chiefs?

A There was an order that the section chief or the department chief of a civil service employee had to be informed before any of his men were arrested. On July 20, 1944, I received an order to arrest the Chief Forrestry officer of Schwevin, Von Willisen and to search his office and building. I first reported this to the state minister and then I searched his office in his presence. I carried out this search and I thought at the time, after talking to Von Willisen, that he was innocent. I carried on this investigation in such a manner that everything which was in his favor was carried out effectively during the investigation. I made a report to Berlin and after receiving another letter from Berlin and another interrogation, it was possible to have this man released. Later on in April of 1945 I asked him once again whether he was connected in any way with the July 20, 1944 incident. He stated at that time that "yes" he was connected with it and he told me at the time that due to my investigation he was saved for certain from the death penalty and that he was the only one of all his

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friends who still was alive.

Q What did your office have to do with the administration of the concentration camps?

A Nothing.

Q Was there a concentration camp within your area or sector.

A No.

Q How was it with Ravensbruck?

A Ravensbruck belonged to the State Prussian. It was only in the postal system connected with Ravensbruck and ~~Mark~~ Mecklenburg.

Q Were not inmates of this concentration camp at Ravensbruck used for work in your sector or area?

A Yes, I discovered that by accident while on an official travel in Neu Brandenburg and Neustadt.

Q What do you know concerning the feeding of these concentration camp inmates?

A I received a protest once, it was from the factory directors or from the DAF, the German Labor Front, that the concentration camp inmates working in that factory were fed better than the German workers in the factory. I had that investigated and it was found out to betrue.

Q What year was that?

A I believe in the beginning of 1944.

Q Were you yourself ever in a concentration camp.

A In 1937, I visited Ravensbruck. I had to get permission to do this from the SS Economic and Main Office in Berlin. That is when I looked

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it over.

Q What did you find out concerning the treatment and the bodily condition and health condition in the camp?

A I only was in the camp for one hour. I could not find out anything about the treatment. The health condition of the workers was excellent, all rooms were clean, orderly and nice.

Q Could you speak with the inmates freely?

A No.

Q Were not members of your department used in coneentration camps as continous interrogation officers?

A No.

Q Did not members of your office accompany transports of troops to the concentration camps, especially during the war.

A No, these transports were carried out in combined transports or bythe regular order police. Only once in 1943, on orders from Berlin, elderly Jews for Theresvenstandt were transported and my department accompanied the transport, however, they were only permitted to go to the Railroad station at Thevesvenstadt then had to stop and turn around again. The officers expressedly asked that they be shown Thevesvenstadt, but that was turned down.

Q Within your area or zone was there a Prisoner of War camp?

A Yes.

Q What did your office have to do with that Prisoner of War Camp?

A Nothing.

MR. MONNERAY: Could the witness give us the name of that Prisoner

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of War Camp?

DR. ~~MERKEL~~ Weisgerber: New Brandenburg.

BY DR. ~~MERKEL~~ WEISGERBER:

Q Do you know of a decree from the Reichs Main Security Office whereby commissions of the Gestapo were supposed to be in Prisoner of War Camps in order to sort out racial and political unwanted persons and to execute them?

A Yes, I received an order from Berlin in August of 1941 to form such a commission and report them to Berlin and it would be the duty of this commission to go to New Brandenburg Prisoner of War Camp and sort out the politically and racially unwanted prisoners. As far as I can remember, it was only to find these persons and not to execute them. I don't remember concerning that. I reported the men to Berlin and then they were under the direct supervision of the Reichs Main Security Office amd I had nothing to do with them. The officers or maybe only the chief of that commission was ordered to Berlin to receive instructions. The chief of this commission had to report directly to Berlin and after about five weeks the officer called me and said he did not have any more interest in this work and it would be impossible for him to select any persons like that when he had no files concerning them. He said that all these men were only soldiers and he did not find anything. He asked me if he could come back and I answered him "yes" I would be glad to welcome him back because at that time I needed a lot of men, but I told him that he had to receive permission from Berlin first. He made a report to Berlin and had almost finished his duty and because we had so much work to do

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At Schwevin he requested that he be returned, the answer back was alright, but he would have to make up the other later on. Then, the whole matter was more or less forgotten and he never went back again.

Q According to your knowledge as chief of the Regional Gestapo Office, no person was selected much less executed, according to this order?

A I did not hear anything concerning this and that is what I believe.

Q Did you know of any decree where upon escaped and recaptured prisoners of war were to be handed over to the Security Police and the SD with the remarks "Gropp Three?"

A You mean the Kugeldecree. Yes, we received that.

Q What is to be understood by "Group Three?"

A In the concentration camps, as we were told one time through an order, there were three groups. Group 1 included the smaller persons who could be improved. Group 2 included the people who after local arrests also could be recorded as bettered or improved. Group 3, if I remember correctly, included those persons that were pure criminals and were completely anti-social. The people who could not be improved.

Q How is the word "Kugeldecree" or "Bullet decree" to be understood?

A When I heard that, I also thought what does this mean? I then spoke to various other officers and discussed with them what this meant. One person came upon the idea that it would mean these persons would receive a chain and ball.

Q How was this order carried out in your area?

A We did not have any prisoners of war that were under this decree. Such cases did not happen with us.

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Q What about the foreign workers in your area if they were reported for non-working?

A The repeaters received ten days protective custody in the justice building, further repeaters received up to three weeks also in the justice prison or in the State Welfare House in Guestrow. This State Welfare House was underthe Reichs Ministry. Persons in need of aid or persons without a home were brought there and the people had to work on the farms. It repeatedly happened that people would rather be there than in the factories, so the factory officials complained to me that it was a vacation for these people and all the persons that received up to eight weeks came to the labor camp at Haegerwelle near Stettin.

Q But in that camp only those persons were sent who were concerned in two cases previously?

A Yes, definitely. In addition to that I always had these cases thoroughly investigated, but when I found out during this investigation that the reason was with the factory or farmer I did not arrest this person at all. I send this man to a different and better employment. This happened quite often with us.

Q What happened to the commandoes or such allied fliers that made emergency landings in your area?

A I did not receive the commando decree at all. I only heard once within army reports that Commando troops were being killed, but no such commando jumped or parachuted in my area. For all soldiers, that is fliers, there was an expressed order that they had to be handed over to the army and the search for such fliers was not in the hands of the Gestapo but in the hands of the Order and Criminal police.

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Q Within your section were the Heinkel, Arado and Dornier aircraft factories located and were there acts of sabotage in those factories?

A Yes. I found that they were very small and always made by persons that worked within the factory.

Q Do you know of the Nacht und Nebel decree?

A We also did not receive this decree. I only heard of this decree here in Nurnberg. No, that is not right. I heard of that in Camp Neumuenster and I read of it here in Nurnberg.

Q In other words, there were no persons in your area concerning which this decree was brought out?

A Yes, I remember the following: I received in February of 1945 from the chief state attorney, no, it was not the chief state attorney, it was from Dreibergen, word that they had two or three ~~end~~ prisoners. I was supposed to take them over and send them to a concentration camp. I wrote back and said I did not know what this meant as I could not take ofer any such prisoners because first of all I had no concentration camp to send them to in Mecklenburg and that also I could only do that if I received an order from the Reichs Main Security Office.

Q Was there within your staff a representative of Eichmann and do you know what Eichmann means.

A No.

Q You knew of Eichmann, did you not?

A No, I did not know of him. I only heard here in Nurnberg what he was.

Q Did you not know during your activities that Eichmann was in charge

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of the Jewish commission within Amt. 4?

A We had received from the Reichs Main Security Office their plan of organization, which was very long. I looked this plan over, but I did not of course remember the names of the people that I did not know. I did not know Eichmann, I had never heard of him, but I was told that he was formerly with the SD.

Q Did you participate in a discussion with the Reichs Main Security Office of Amt. 4 concerning the Endloesing or final solution of the Jewish question?

A No.

Q To whom did you send your requests for information in Amt. 4 or the Gestapo Main Office if you were not clear concerning something or wanted to have something done?

A If it concerned personnel matters, I spoke to the personnel chief, otherwise, I mostly spoke with Dr. Best and after he went away I talked with Mueller and during the remainder of times I spoke only with the officer concerned with the particular case.

Q How long was Dr. Best in the Reichs Main Security Office?

A I believe until 1941.

Q Why did you not go to Heydrich as Chief of the Security Police?

A I only went to Heydrich when I received an order and besides at one time a personal official of Heydrich's told me that Heydrick did not regard me very highly and did not like my style of work.

Q In other words, you considered Dr. Best as the most efficient man

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within the Reichs Main Security Office?

A Yes.

Q To what extent was your office connected with the action of the 8th and 9th of November, 1938?

A On November 9th, there was a meeting of the Gestapo officials of the SD and of the inspectors in Munich and I was there. About twelve o'clock all of us were ordered to a meeting with Heydrich in a certain palace and he stated that afternoon, upon orders from Hitler, the party and the Government, especially Dr. Goebbels, an anti-semetic demonstration was to start due to the death of Von Rath. Heydrick stated at the meeting that he was not in accord with the proposal of Goebbels and that he did not approve of such action, however, he was sorry his suggestion was not accepted and now it was such that the police had to watch in case the property of the Jews was destroyed. He then told us to take the next train back to our homes and to prevent any kind of a demonstration, plundering or anything like that against the Jews. I left early the next morning and arrived in Schwevin late that night. My deputy told me that they had received a teletype message during the night concerning this action and that they had placed a guard so that no plunderings would take place.

Q Was not that teletype message received by your office before your return just in opposition to what Heydrick had told you?

A Yes.

Q How do you explain this contradiction?

A I believe, in my personal opinion, he received the order from Himmler and that he only gave us his personal ideas or thoughts but that they

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could not put that in the teletype message.

~~CAPTAIN TUBRIDY: We will recess until two o'clock.~~

(THE COMMISSION RECESSED AT 1300 HOURS.)

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(The hearing reconvened at 1400 hours, 10 June 1946)

LUDWIG OLDACH - Resumed
DIRECT EXAMINATION - Continued.

BY DR. WEISGERBER:

Q In your District before the war was the church fight a difficult one, a particularly violent one?

A Yes

Q Can you give us some details about this?

A Yes, since 1933 in Germany the so-called German Christians who were all members of the Nazi party had the ~~regimm~~ regiment or direction of a so-called church regiment and the Landes Bishop was also a German Christian. These German Christians tried to assert their ideology with all means and if I may say so they carried on a fight against the denominational and conventional church which was not quite clear. It had no regard for regulations of the Government and this was to the detriment of the conventional church, I would call it, and it came about that the clergy of the denominational church turned to me for help. For example, in New Strelitz the German Christians attempted to take away the church buildings from the denominational church and they forbade the denominational church members to be buried in their common graveyard, and on one occasion they locked up a church building so that the denominational people could not enter. Another thing, young clergy men

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who were members of the denominational church were not employed as pastors. In church communites where there were only denominational church members clergy of the German Christian Government were sent.

Q Did you take any measures against these German Christians from your Gestapo office?

A Yes, the denominational church turned to me for help and I went to the Pastor of the denominational church and told them what they could do and what they couldn't do and helped the denominational church everywhere to obtain it's rights. I told the German Christian Pastors that if they interfered with the Denominational Church and disturbed the Denominational Church in any way I would see to it that you will be taken into protective custody and reported to the public prosecutor. The Bishop of the District then sent in a complaint to the Reichstatthalter, the Reich Government, on this matter, and in this complaint he said:

"While the Gestapo protects and supports the denominational church members, who are sworn enemies of the national social system, we German Christians are persecuted by the Gestapo and treated like ordinary common criminals."

I then asked the Bishop to come to see me and I showed him the documents, presenting the documents to him, that his clergy had behaved very badly everywhere

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and that the denominational church had been protected by men with the right. Finally he realized this, and it followed that these German Christian Pastors who had been particularly forward and cheeky were transferred to other places, and thus, I helped bring about peace everywhere and restored peace. Then I induced him to have only denominational clergy in those places where there were only denominational church members, which he did, and he also ~~followed my suggestion~~ upon my suggestion did not exact any oath from the denominational church clergy.

Q Did you and your officials realize that carrying out certain instructions of the ~~RX~~ Reich Main Security Office meant that you were asked to commit criminal activities?

A No, we were never asked to do anything that was criminal. All of us were professional civil servants and by reason of the decrees and regulations did our duty and no more.

Q Is it true that the Gestapo was a party institution which was to incite fear?

A No, we were no party organization. We were a civil ~~organization~~ organization like any other civil service organization. I would like to add here that most of the announcements and reports sent in to us

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were sent to us by the party, by the SD and by people who were finding fault, especially in church matters we received very many reports and complaints, and then when we interrogated the Clergy they thought they were being persecuted by us, but in reality too often it was true we always protected the interests of these people. With the Kreis leadership in Rostock I had very many great differences of opinion.

DR. WEISGERBER: No further questions.

CROSS EXAMINATION

BY M. MONNERAY:

Q Witness, you were not a member of the party, were you?

A Yes, I was a member of the party.

Q From what day?

A From the 3rd of May, 1925.

Q You told us that in December, 1933, you were asked to accept the position of the Chief of the Police of Mecklenburg.

A Yes.

Q And you told us also that this proposal had been made to you only because on account of your excellent experience as an honest civil servant, isn't that so?

A Yes, and always because I was a party member. That is clear.

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Q You have been certainly one of the oldest members of the party in your district, weren't you?

A Yes.

Q But you didn't tell us about this point this morning, did you?

A ~~xx~~ I was not asked about any party membership.

Q Were you a member of any party or organization?

A I was ortsgruppenleiter until 1928, and then on account of differences of opinion that I had with the Gauleiters I was excluded from the party, and then upon the request of the Gauleiters I re-entered the party in 1930, and in 1930 I was appointed Kreisleiter, and I resigned this job on the 1st of May, 1933, because the party only wanted to have such Kreisleiters who were Kreisleiters ~~xxxxyxday~~ as their main business, and ~~xx~~ because I wished to remain a professional civil servant.

Q Were you a member of the SA?

A No.

Q The SS?

A Yes, by reason of the coordination decree I became a member of the SS when I took over the Gestapo.

Q What was your rank?

A My ~~xxx~~ last rank I had was that of SS Standartenfuehrer by reason of the coordination decree.

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Q What was your exact position as police in 1933, when you were appointed?

A My title was regierungsdircktor.

Q And what part of the police were under your command?

A The state police, and up until the 1st of October, 1943, the criminal police also.

Q The state police and the criminal police of the whole state of Mecklenburg, isn't it?

A Yes.

Q And at what time did you become an officer of the Reich and not any more an offical of the State?

A On the 1st of April, 1937.

Q And from this period on what was your jurisdiction from that appointment?

A The County of Mecklenburg alone.

Q Who was your deputy?

A First Kriminalkommissar Marquardt. He was sent to the front in 1941.

Q When was he appointed?

A In 1934.

Q Was he a member of the party?

A Yes

Q What was his function?

A He had formerly been a justizinspektor and then took the Kriminalkommissar examination.

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Q So he applied for this job in quite the same way way you did, did he?

A No, he was commandeered to do so by the Ministry of the State.

Q The Ministry of State, was he a member of the party?

A Yes.

Q Was he a member of the SS?

A As far as I know he became a member of the SS either in 1935 or 1936.

Q Had he any other party functions or any functions in the organization as a party?

A The Ministry of State?

Q Yes.

A No.

Q Where was your headquarters in Mecklenburg?

A In Schwerin.

Q And Schwerin was at the same time the headquarters of the Gauleiters or Kreisleiters?

A Of the Gauleiters and Kreisleiters also.

Q You told us this morning that according to a decree you had to report every fortnight to the Gauleiter?

A Yes.

Q Will you give me some more details about this decree?

A No, I was told so orally. He ordered me to do so.

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Q Who ordered you?

A The Gauleiter who was the Reichstatthalter.

Q What did he tell you to do?

A According to the Reichstatthalter I was obliged to report to the Reichstatthalter on all important matters, and this came about in the following way: A state employee, a Landrat, had taken a man into protective custody where he had no right to and I protested and the Gauleiter heard of this and thereupon ordered me to report to him fortnightly.

Q But the Reichsstatthalter was at the same time the Governor of the District, wasn't he?

A Yes.

Q Was it always the general rule that the Reichstatthalter was also the Gauleiter?

A No, not everywhere. For example, in Bavaria, this was not so.

Q What kind of a report did you send to the Government?

A If I didn't report he asked me to report in writing.

Q About what events?

A The Gauleiters often reported especially concerning espoinage, and then, of course, I had to report to him about this. He made complaints in other cases too.

Q For instance?

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A Once because of the smuggling of foreign currency that had been done by a high party member, and another case against the landed nobility who were to be a reactionary government; against the owners of estates who were alleged to have behaved unsocially, and against alleged communists. Every once in a while I received such complaints. He sent me very many enormous letters.

Q And the Kreisleiters did the same?

A No, not the Kreisleiters of Schwerin but the Kreisleiter of Wismar and Rostock sent reports continually, and the other Kreisleiters too.

Q But those Kreisleiters you say sent this information about the enemy, wasn't this a job for the police?

A Any person at all can write a complaint to the police and so could they. They always did so.

Q Who were the agents of those political Gauleiters and Kreisleiters who gave the police or allowed them to make reports to you?

A There were no agents as such, any party member could go to the Gauleiters and report things to him.

Q But people who knew something of the position and what things seemed to be important to be reported, didn't they report first to the block and zellenleiters?

A Yes, that also happened, but in such a case these people went to the Kreisleiters.

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Q How did the political police get information about the political situation and political enemies?

A The local police authorities and the Gendarmerie reported to us about these matters.

Q Do you maintain that you had no informers?

A Yes, there were also people who reported to us directly, and in 1942 we received instructions from the Reich Main Security Office that we were to strengthen or increase our intelligence.

Q Which title of the SHA was this?

A The department was called the IIIe Abteilung.

Q Was that the title of the department, Abteilung?

A Yes.

Q And the SD, didn't they bring you any information?

A Yes, of course, they always made reports.

Q Didn't you state a few minutes ago that most of the information came from the party leaders or from the SD?

A Yes, actually most of the reports came from them, reports concerning the breaking of work contracts, mostly came from the Gendarmerie.

Q How did you organize the sub-groups that lead the fights against the Church, the Jews and the Free Masons, and so on?

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A There was just one official there.

Q How could he get all of the information about those things?

A After the Free Mason Chapters had been annulled in 1943, there were no Free Masons any longer and in the whole of Mecklenburg there were only 222 Jews in the year 1938. These were known everywhere and the local police authorities always made reports about them.

Q So, you just had one official sitting in his office waiting for the information to come in, isn't that so?

A Yes in this matter, yes certainly, and most of the information came from the party.

Q And in different matters?

A Yes, and if this man was idle he was called upon to do ~~xhxax~~ other work. In 1941 or 1942 I had one man who was to organize the intelligence department by orders from Berlin but it was bad enough.

Q Where did they come from, in Berlin?

A He was one of my officers, one I had selected for that purpose. Nobody wanted to do this sort of work.

Q So your headquarters and officials could be used by one of the other commissions, according to necessity, couldn't it?

A Yes.

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Q How did your intelligence work or function, especially the counter espoinage?

A In the armament factories the comrades I had selected, they selected confidential people every where.

Q Otherwise, you were relying upon information coming direct from party members and the SD?

A Yes.

Q Had you no organization, direct organization of the SD?

A No, the SD was quite independent.

Q You had no contact with those members?

A I knew part of the people, that is, I knew part of the people of this organization, I knew the leaders of the liaison office in Rostock.

Q So no especial organization was necessary, since quite as a general rule, the reports came direct from the SD to your office?

A Yes.

Q As to the fight or the checking up of church activities, didn't you ever receive any SD members attached to your own headquarters?

A Yes, they came to see me but I had nothing to do with them. I don't quite know what you mean.

Q They were not entering into your own organization?

A No, they didn't enter the organization.

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Q Had you an expert for church questions in your organization?

A There was one civil servant who was to take care of these matters, but the majority of cases I ~~xx~~ did the work myself.

Q Do youremember the meeting of experts on church questions and the state police? This meeting was held in Berlin in August, 1941?

A I know that my employee who handled these church matters was once ordered to appear in Berlin in this connection.

Q Do your emember this circular letter sent to all of the state police signed by Heydrick, it is Document 1815-PA, USA 510?

A Yes, I think that is the one that I sent one of my men to Berlin.

Q Do ~~yxxxxxxxx~~ you remember what was the object or purpose of this meeting?

A No I don't know. I don't think anything hardly happened in Church matters in our region. We had never had any difficulty with the Roman Catholic Church, because there were only very few members. On the contrary the Catholid Priest, Dr. Ohnmacht, from Linz, had been banished from

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Mecklenburg by the Vice Commissar of the Main Security Offices, and orders were issued to me to have this man installed in a small town.

Q We are not interested in these small details. Anyhow, it was within the scope of your activities to supervise and control the church and churches, isn't that so?

A That was the mission of the SD We did not supervise the churches. I did not supervise any church.

Q When, for instance, the SD found some information which seemed to reveal some hostile activities against the State, didn't the SD report to you?

A Yes, the SD sent in a report.

Q Now in the same Document, 1815 PS, the first three pages are an order to all state police, an order signed by Mohler and coming out from Amt 4, and in this order Mohler orders that the SD expert about church questions has to join the coresponding Gestapo, the Gestapo Headquarters. Do you recall receiving this?

A Yes, I received this letter and in this connection the SD sent us mountains of files at which we did not look because we had no time and did not want to. These files and documents lay in our office a very long time, and I remember a case where I said: "What sort of documents are those over there?" And he answered: "These are documents of the SD" , and we let

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them lay there, we didn't want anything to do with them, and we put them in a corner, and I remember in this connection that Dr. Ohnmacht said that he had never thought he would ~~xxxxixxx~~ find such humane people and kind people with the Gestapo. We have always been the ones who helped the Church, and so I told Dr. Ohnmacht to write an application for his relief, and to try to have his banishment from Austria cancelled.

CAPTAIN TUBRIDY: Ask the witness to please respond to the questions and not volunteer information.

BY M. MONNERAY:

Q Tell me why was he so suprised by the kindness of the Gestapo?

A This man had been in Vienna and Linz where he had been manager of the Catholic action and after charges had been made he was in a concentration camp.

Q Did he tell you also at one time he had been arrested and put in a concentration camp?

A No, he did not tell me. He only told me when I asked him why he had been arrested, that he was the manager of the Catholid action and that was probably why he had been arrested and then only carried on the business affairs. He knew nothing about any others.

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Q You were not surprised that he was not put into a concentration camp, were you?

A No, and I had no such order to do so. I was only told to look after him and to put him up in a small town where he was to live.

Q Had he the right to live anywhere or only in a small town? We don't want to know what you did exactly but we only want you to answer "yes" or "no" as to whether he was entitled to go around the State of Mecklenberg or whether he was compelled only to go into small towns.

A He had to remain within Garbusch.

Q And what was the reason?

A I don't know. Such were the orders given by Berlin.

Q When he arrived he did not show you any order and you did not receive any order concerning this man?

A Yes, before he arrived I received a written order from Berlin.

Q What was the written order?

A In this order it said that this man had been released from a concentration camp and was to live in a small place in Mecklenburg. I was to find a place for him, a post for him, and was to protect and supervise him.

Q This morning you told us that people entering into the State Police had to undergo a sort of political and professional training, isn't that so?

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A Yes.

Q And those who did not want to accept this political training could not remain in the police?

A No, it was quite different. They were sent to the police schools and at these schools lectures were held upon political matters.

Q And where did those people come from.

A They were officials of the police school, training school.

Q How did they enter the police school? Was there any examination before?

A Yes, when they applied with the Gestapo they had to take an examination of proficiency.

Q So there was a special examination to enter into the Gestapo, wasn't that so?

A Yes, for those people who volunteered, not for the others. The others, as I explained this morning, were commandeered as police officials.

Q Had you under your command also the Kripo?

A Yes, until the 1st of October, 1943.

Q What was the connection between the Kripo and the Gestapo?

A The people that belonged to the Security Police and the employees could be transferred from one office to the other.

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Q In this office among the members of your Gestapo office, how many members of the SS had you in this office?

A At the first when I took over the Gestapo only one and then later an order was issued saying that all members of the Gestapo were supposed to be members of the SS and then in the course of the years by reason of this coordination decree the people were taken as members of the SS.

Q When you were appointed in December, 1933, how many members of the party were in the Gestapo?

A. Ten.

Q What was the total number of police, excepting such people as the secretaries and typists and so on?

A When I took the office over there were ~~xxxx~~ fifteen.

Q So ten out of fifteen were already members of the party, isn't that so?

A Yes, and six had entered the party after May, 1943.

Q When they entered the party, those six, why did they enter the party in May 1943?

A After this date, practically all civil servants in Germany entered the party.

Q If they had not entered the party would they nevertheless remained in the Gestapo?

A Yes, they could have.

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Q When you received the/secret order your assistant knew it, didn't he?

A Yes.

Q And if the secret order asked for any execution of tasks, what did you do?

A I passed this order on to the corresponding Gestapo and told him to carry out this order.

Q All of the members of the Gestapo had taken an oath, hadn't they?

A Yes, and every civil servant.

Q So they were all entitled to take secret orders and secret papers, weren't they?

A No, by no means. There was a decree issued by Hitler, in which he said that each civil servant shall know only as much as he needs to know in order to carry out his work.

Q But you told me that all/officials within the scope of his job was to execute secret orders and receive secret orders, didn't you?

A Yes, and I had to show that order to him.

Q When you told us this morning about the violations of the official secrets, had you any example of any violation in your office?

A I thought primarily of the violation of official secrets by passing them on to outsiders, but, of course

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this also meant that the person was not allowed to tell people within his office.

Q Do you know of any camp in Strelitz?

A No.

Q No detention institution?

A Yes, a department of the district welfare.

Q And who did you send into those Landesfursorgehausers and who could you send there?

A People who had committed breaches of a working contract and people who had been temporarily arrested.

Q For instance -

A Yes.

Q Do you know a camp called Rickling. It is near ~~to~~ Neumunster?

A No.

Q And Niederhagen?

A No.

Q It is near Rostock.

A No, I think there is a sheriff in the vicinity but I did not know there was a camp there.

Q Was there any prison camp in Rostock?

A No, perhaps prisoners of war, but I don't know.

Q What kind of people, once arrested, had to be sent into concentration camps according to your orders?

A In general, the wording was persons who had endangered the security of the state.

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Q And if there was no concentration camp?

A People who had committed themselves were placed before the Courts.

Q So you don't know any example of arrests of people who were sent directly into concentration camps without passing over first to units?

A Yes, that also happened, if the Reich Main Security office ordered this.

Q And in which cases did you receive those orders?

A I had to pass on reports of the people who had been arrested and it had happened that the Reich Main Security Office said that such and such people were to be sent directly into a concentration camp without being placed before a Tribunal.

Q Have you already forgotten the famous Kugel Erloss we were talking about this morning?

A Yes, I have not forgotten it.

CAPTAIN TUBRIDY: Is that the bullett decree? Let the record show what is meant by that, the bullet or ball and chain decree.

M. MONNERAY: Yes, that is the Kugel Erloss.

BY M. MONNERAY:

Q Now, according to this decree, all except prisoners of war had to be sent into the concentration camps, isn't that so?

A In the decree it said not officers and not

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non-commissioned officers, they were not to be sent there, and I did not have such cases.

Q But the order specifies certain classes of people who had to be sent into concentration camps, doesn't it?

A I would have to see the decree. As far as I remember it says in this decree/all of those except officers and non-commissioned officers who were excepted, were to be sent into a concentration camp, and then there was another decree which said that Russian/Prisoners of war who had committed a crime during their lifetime were to be sent into concentration camps.

Q Well any how it is very easy to discuss the text of the order. It is/1650 PS and the text is well known.

A Yes, I received this order. This is the decree Bullett, isn't it?

Q Yes.

A I received this order but I had no such prisoners as were mentioned in this decree.

Q It is USA 246, 1650 PS, and you gave us this morning your opinion and if you hadn't understood it immediately you would have called on an expert policeman as to what was the real meaning of this decree, isn't that so.

A I do not understand the use of the term "bullett". Why did they use the term "bullett"?

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Q Anyhow you understood that the Gestapo officers were compelled or ordered to send those people into concentration camps?

A Yes, I understood that, but I wish to re-emphasize that I did not intern any such people in concentration camps. I did not have any such people.

Q You told us this morning that you selected a commission to be sent into the prison camps of your district in order to carry out certain orders of political and national seminar coming from the RSHA?

A Yes.

Q And you told us that nothing had been done, that a seminar had not been carried out?

A Yes, the Commissioner was in New Brandenbrug for five weeks. Then the head of the Commission turned to me and said he wished to return because he did not like the work, and he did not think the work would be very successful because he had no material to work on.

Q So he carried out this work anyhow, didn't he?

A Yes, for five weeks he worked there.

Q You told us you were at meetings with Muller on several occasions in Berlin?

A Yes.

Q And this happened in a sort of general meeting with other leaders of the Gestapo?

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A No, whenever there was anything with which I was not quite content or if I had received complaints from the party I went to the RSHA.

Q Had you always the right to see the chief of the other departments of the RHSA if you had some question of work to discuss with them?

A Yes

Q And this was a right that any Chief of the Gestapo Headquarters had, isn't that so?

A Yes, he had to announce his visit and then he was x&x told when he could go.

Q Had you contacted any other chiefs in the department of the RSHA?

A No, I never went to any other chief of the RSHA except to the personnel department.

Q Why didn't you go to the others?

A I had nothing to do with them.

Q Did you receive any orders concerning the campaign in Norway?

A No, I did not.

Q You never heard anything about it before coming here?

A Yes, I heard of it in the camp of New Muenster.

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Q And during your activities, didn't you hear anything of it?

A No I didn't. I heard occasionally in the army communiques that commanders had been landed in Norway and other places and had been liquidated, annihilated, and I always assumed these were soldiers who had died in battle to the last man.

Q You received the order about the interrogation and the third degree?

A Yes, I received that order.

Q Everybody knew about this order?

A Yes, I informed several officials of this order but I don't remember whether I told only the ~~xxxxxxxxxx~~ assistants and the heads of the divisions.

H0938 - 0050

Q When you arrived from Munich the 10th of November 1938, the different actions against Jews had already happened?

A Yes.

Q What kind of actions?

A The demonstrations that had been ordered by Dr. Goebbels against Jews and Jewish businesses.

Q That is all?

A I know that in Schwerin and in Rostock shops were demolished.

Q Who did it?

A The Party and the SA.

Q Why was it the Party and the SA?

A In Schwerin and Rostock the Party and SA were responsible. That is the report I received.

Q Did the SA give any orders on this point?

A I do not know.

Q How do you know about the activity of the SA?

A From the deputy, who himself witnessed these things and who received the teletype during the course of the night, told me that the Party and SA members were responsible.

Q Did your deputy get in touch with the Ortsgruppenleiter or the Kreisleiter or Gauleiter or Chief of the SA?

A I think he was ordered to appear before the Gauleiter who also received a teletype during the night.

Q What was decided at this meeting?

A I cannot tell any more about it.

Q No Jews were arrested during this night?,

A No, we did not arrest any Jews.

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Q And afterwards?

A No, we did not do so. In our District no Jews were arrested.

Q No synagogues were burned?

A No, also not.

Q Only material destruction by the SA and the Party?

A Yes, I believe so. That is what he told me.

Q What was the interpretation you gave to the teletype coming from Heydrich?

A I assumed that he had been given strict orders by Himmler to issue this.

Q You mean in favor of those actions?

A Yes, this teletype was written to the Gestapo Offices and was issued by Heydrich.

Q And Heydrich was Chief of the Gestapo was he not?

A Yes.

Q And you maintain that your Gestapo carried out only legal actions?

A Yes.

MR. MONNERAY: I have no further questions.

MAJOR MURRAY: I have one or two questions.

BY MAJOR MURRAY:

Q Who was the Gauleiter in your Area?

A Hildebrandt.

Q He was also the Reichstatthalter of the Area was he not?

A Yes.

Q And was he also the Reichverteidigungskommissar (Reichs Defense Commissioner) for Wehrkreis 2?

A Only for that section of Mecklenburg which belonged to Wehrkreis 2. SD

H0938-0052

Q Reports addressed to the Wehrkreis Commissar for Wehrkreis 2 would go to your Gauleiter, would they not?

A Yes, Hildebrandt was Reichstatthalter and Gauleiter and Defense Commissioner for Mecklenburg.

Q And you received orders from Hildebrandt, was that right?

A Yes.

Q And you reported to him at least every two weeks, was that right?

A Yes.

Q I will ask you if you did not receive in your office this series of weekly reports coming from Heydrich's Office, who was your chief?

A Yes we got them. No, just a minute. No we did not get these from the Occupied Eastern Territories. No, I never got the Occupied Eastern Territories. I do not know them.

Q This is 3943-PS, USA Exhibit 864. Answer my question please. These were from Heydrich's office, were they not?

A Yes they are - Berlin.

Q And Heydrich was your Chief, was he not?

A Yes, he was, but I did not get these reports. I do not know them.

Q You know that these reports went to your Gauleiter do you not?

A No, I know nothing at all of these reports.

Q You did receive some of these reports, is that it?

A No, I did not receive any of these reports from the Eastern Occupied Territories. I was never in the Eastenn Territories. I was always only in Mecklenburg and never received any of these reports.

Q Did your Gauleiter ever discuss any of these reports with you?

A He never spoke of any of these reports. I do not know them.

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Q I will show you USA Exhibit 808, 3876-PS, which is a letter from Heydrich. It enclosed, among others, a report to Reichsverteidigungskommissar Wehrkreis 2. That was Hildebrandt, was it not?

A No, this is how it was. Schwede-Koburg was Reichs Defense Commissioner in Wehrkreis 2 and Wehrkreis 2 included Pomerania and Mecklenburg. Hildebrandt was the Deputy of Schwede-Koburg in Mecklenburg. That is how it was.

Q A moment ago you said Hildebrandt was Wehrkreis Commissar for Wehrkreis 2, didn't you?

A That's how it was. May I explain it exactly? Wehrkreis 2 included Pomerania and Mecklenburg and Schwede-Koburg was Reichs Defense Commissioner for Wehrkreis 2. At first Hildebrandt was only his Deputy for Mecklenburg and then Hildebrandt handed in a complaint about this. In 1943, I believe, a change took place and then there were two Reichs Defense Commissioners for Wehrkreis 2, that is Schwede-Koburg for Pomerania and Hildebrandt for Mecklenburg.

Q In any event you knew of the activities in the Eastern Occupied Territories of the Einsatzgruppen, did you not?

A No, I never knew anything of it; I never heard anything of it and it was never shown to me. I would like to emphasize that Hildebrandt once said to me "I can have no faith in you and your officials. You are much too bureaucratic" and he did not show us any such things. That's how it was.

MAJOR MURRAY: I have no further questions.

BY COLONEL ORLOV:

Q Do you acknowledge that as the Chief of the Gestapo you carried out very criminal and atrocious measures against the political enemies?

A No.

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Q Did you ever receive any orders from Himmler and Heydrich about the extermination of Jews?

A No, never got them.

Q Did you take up in the meetings under the leadership of Himmler about the tasks of the SS Organizations?

A I once heard a lecture by Himmler at a meeting.

Q When was this lecture held?

A Before the war, in Berlin.

Q And what were the tasks that Himmler gave concerning the treatment of political enemies?

A We received our orders direct from the Reich Main Security Office. During this lecture that Himmler held he gave only general political viewpoints and he did not say anything about the extermination of Jews.

COLONEL ORLOV: I have no further questions.

DR. WEISGERBER: I have about four more questions in conclusion.

CAPTAIN TUBRIDY: We will take a recess and then proceed with the questioning.

(A recess was taken.)

RE-DIRECT EXAMINATION

BY DR. WEISGERBER:

Q Your commission to be made Head of the Gestapo Office in Schwerin was made simultaneously with your appointment as Chief of the Kripo Office in Schwerin, wasn't it?

A Yes.

Q Your rank as an SS Standartenfuehrer corresponded by reason of the co-ordinating decree to the rank of a Regierungsdirektor, didn't it?

A Yes.

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Q And it is also true that you could receive no orders from the Gauleiter, as such, that you were under the jurisdiction of the Reichstatthalter who happened in this case to be identical with the Gauleiter, is that true?

A Yes. I would like to correct a statement that I made before. In January of 1944 I took part in a conference at Koenigsburg at which Himmler spoke.

Q During this lecture did Himmler touch on the tasks and missions of the SS?

A No. He spoke about the military situation and that there had been a change in the leaders of the Government, that there were new men in the Government, for example he himself and Doenitz, and that we had every chance of winning the war.

DR. WEISGERBER: No further questions.

BY CAPTAIN TUBRIDY:

Did you testify earlier in your testimony that there were decrees received by you which you decided not to enforce and left instructions with your deputies that they were not to enforce them if you were absent?

A That was concerning the 3rd Degree Order. I told them we were not going to do that. Then I repeatedly went to Berlin concerning Decrees and Orders and asked them not to carry such things out.

Q Was it customary for a man in your position to refuse to enforce decrees that were issued to you?

A No, this is how it was. When I received an order, with the enforcement of which I did not agree, I wrote a corresponding report giving my reasons why I did not want to enforce the order and asking the authorities to be allowed not to enforce such an order.

Q Is that what you did in this case?

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A No, in this case it was not necessary because the 3rd Degree Order was a so-called "Can" order - that means "may" be carried out, "may" be done.

CAPTAIN TUBRIDY: The witness may retire

(THE COMMISSION ADJOURNED AT 1600 HOURS.)

The foregoing is a true and correct transcript of the testimony of LUDWIG OLDACH, taken on 10 June 1946.

Mabel A. Lesser
Reporter (pp. 1-7 + 49-55)

Alice Meehan
Reporter (pp. 8-23)

Rose W Cook
Reporter (pp. 24-48)

CERTIFIED TO:

Joseph T Tubridy
Commissioner

Commissioner